

**City of Northampton**  
**MASSACHUSETTS**

*In City Council, January 7, 2021*

*Upon the recommendation of the Charter Review Committee*

**20.183 An Order Amending the Charter to Mail Ballots for Municipal Elections to All Registered Voters**

***Ordered, that***

WHEREAS, In accordance with Section 10-6 of the City Charter and Chapter 9 of the Code of Ordinances, in January 2019, the City appointed a Charter Review Committee; and

WHEREAS, On December 12, 2019, the Charter Review Committee filed its Final Report with the City Clerk; and

WHEREAS, the Charter Review Committee made recommendations for certain changes to the City Charter; and

WHEREAS, The City Council wishes to authorize the Mayor to seek special legislation to effectuate the recommended changes.

NOW, THEREFORE, BE IT ORDERED

*Voted, to petition the General Court to the end that legislation be adopted precisely as follows.*

*The General Court may make clerical or editorial changes of form only to the bill, unless the mayor approves amendments to the bill before enactment by the General Court. The mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.*

**AN ACT AMENDING THE SPECIAL ACT CHARTER OF THE CITY OF NORTHAMPTON TO ALLOW FOR EARLY MAIL-IN BALLOTS**

Whereas, The deferred operation of this act would tend to defeat its purposes, which is to improve the governance of the city of Northampton, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the Authority of the same, as follows:

Chapter 277 of the Acts of 2012, shall be amended as follows:

SECTION 1. Amend article 8 by inserting after section 8-6 a new section 8-7 as follows: "EARLY MAIL-IN BALLOTS. (a) Each active registered voter in the city shall be issued automatically an early mail-in ballot for each preliminary election, regular city election, special city election, or local ballot question. Each active registered voter shall continue to receive an early mail-in ballot by mail until the death or disqualification of the voter, cancellation of the voter's registration, or placing the voter on inactive status, (b) Such ballots shall be mailed to each such registered voter not less than 14 days prior to the election at the address at which such voter registered to vote, and shall include a ballot, a security envelope in which to conceal the ballot after voting, a larger envelope in which to return the security envelope, and a declaration that the voter must sign under penalty of perjury that they meet the qualifications to vote, and has not voted in any other ward at this election. (c) A registered voter may obtain a replacement ballot if the ballot is destroyed, spoiled, lost, or not received by the voter. (d) Such ballots may be returned by mail, in person at the office of the city clerk, or in such ballot drop box as the Mayor may designate. (e) Such ballots shall be counted if postmarked by election day and received not later than the third day after election day. (f) The city may supplement the provisions of this section by ordinance not inconsistent herewith. (g) Nothing in this section shall prohibit or otherwise limit the right of a voter to vote in person during early voting period, if any, or on election day.", and by renumbering section 8-7 to section 8-8.

If the foregoing is not passed:

SECTION 1. Amend article 8 by inserting after section 8-6 a new section 8-7 as follows: "REQUEST FOR EARLY MAIL-IN BALLOT. (a) Not more than 21 days prior to any preliminary election, regular city election, special election, or local ballot question, the city clerk shall mail an application for early mail-in voting to each active registered voter in the city. The applications required pursuant to this subsection shall be in a form prescribed by the city clerk in accordance with state and federal law; provided, however, that said applications shall: (i) include clear instructions for completing and returning the application; (ii) allow a voter to designate the mailing address to which the ballot shall be sent; and (iii) be pre-addressed to the local election official with postage guaranteed. (b) Any voter applying for an early mail-in ballot shall, without specifying a reason therefor, be issued a ballot for such election. (c) The early mail-in ballot packet shall include a ballot, a security envelope in which to conceal the ballot after voting, a larger envelope in which to return the security envelope, and a declaration that the voter must sign under penalty of perjury that they meet the qualifications to vote, and has not voted in any other ward at this election. (d) A registered voter may obtain a replacement ballot if the ballot is destroyed, spoiled, lost, or not received by the voter. (e) Such ballots may be returned by mail, in person at the office of the city clerk, or in such ballot drop box as the Mayor may designate. (f) Such ballots shall be counted if postmarked by election day and received not later than the third day after election day. (g) The city may supplement the provisions of this section by ordinance not inconsistent herewith. (h) Nothing in this section shall prohibit or otherwise limit the right of a voter to vote in person during early voting period, if any, or on election day.", and by renumbering section 8-7 to section 8-8.